41. (New) The method of claim 21, wherein the adhesive layer, backing film layer, or adhesive and backing film layer are substantially flesh colored.

42. (New) The method of claim 21, wherein the adhesive layer is about 5 to about 50 mils and wherein the backing film layer is about 0.5 to about 10 mils.

REMARKS

Applicants have carefully considered the Office Action of October 2, 2002 and set forth detailed responses herein. Applicants have amended specific claims addressed by the Examiner in the Office Action dated October 2, 2002. Claims marked up to show changes made in this amendment, as well as all pending claims, are provided in the addendum pages for the Examiner's convenience.

Claims 1 and 22 have been amended to more particularly point out and distinctly claim certain aspects of Applicant's invention. In response to the Examiners objection regarding the dependency of claim 22, said claim has been amended accordingly to properly depend from method claim 21, and therefore the Examiner's objection should be withdrawn.

New claims 24-42 have been added to particularly point out and distinctly claim certain aspects of the methods disclosed by the present application.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 2, 9-18, 20-23 stand rejected under 35 USC 102(b) as being anticipated by Cilento et al. (US 5,059,189). These rejections are respectfully traversed.

Cilento et al. does not anticipate claims 1, 2, 9-18, 20-23. In fact Cilento et al. does not teach the claimed invention. Nowhere does Cilento et al. teach a calendered hydrocolloid dressing comprising at least a backing film layer and an adhesive layer, wherein the material comprising the backing film layer includes at least a thermoplastic elastomer and wherein said backing film layer and adhesive layer are calendered together simultaneously to provide the calendered hydrocolloid dressing by a single manufacturing step. We also note that Cilento et al.

is not directed to or addresses the method claims currently pending. In fact, the only methods disclosed in the Cilento et al. patent are standard techniques in the art (please see Col 7, lines 23-36) where "The adhesive mass is layered onto a sheet of silicone coated release paper, flattened to the desired thickness by either calendering or extruding, and a flexible backing and a flexible backing member is laminated to the other surface of the adhesive layer". This is unlike the present invention wherein the methods include the step of calendering the adhesive composition between a center roll and a lower roll to form a hydrocolloid dressing comprising a backing film layer and an adhesive layer in a single manufacturing step. All elements of the claimed invention must be disclosed in a single reference for anticipation to exist. Atlas Powder Co. v. E. I. DuPont de Nemours & Co., 750 F.2d 1569, 224 U.S.P.Q. 409 (Fed. Cir. 1984). Missing elements cannot be supplied by the knowledge of one skilled in the art or the disclosure of another reference in order to give rise to an anticipation rejection. Structural Rubber Products Co. v. Park Rubber Co., 749 F.2d 707, 223 U.S.P.Q. 1264 (Fed. Cir. 1984). Accordingly, the absence of any disclosure, teaching or suggestion in Cilento et al. of a dressing wherein a backing film layer and adhesive layer are calendered and laminated together simultaneously to provide a calendered hydrocolloid dressing in a single manufacturing step means that there is no anticipation and the Examiner is respectfully requested to withdraw the anticipation rejections.

Similarly, the rejections of claims 1, 2, 9-18 and 20-23 under 35 USC 103(a) as being unpatentable over Cilento et al., as well as the remaining 35 USC 103(a) rejections of claims 3-5, 18-19 over Cilento et al. in view of Sablotsky et al.(US 4,994,278) and claims 6-8 and 18-19 as being unpatentable over Cilento et al. in combination with Sablotsky et al. and in further combination of Godbey et al. (US 5,372,819) are respectfully traversed.

The disclosures of both Sablotsky et al. and Godbey et al. fail to teach, suggest, disclose or remedy the shortcomings of Cielento et al. in relation to a calendered hydrocolloid dressing comprising at least a backing film layer and an adhesive layer, wherein the material comprising the backing film layer includes at least a thermoplastic elastomer and wherein the backing film layer and adhesive layer are calendered together simultaneously to provide the calendered hydrocolloid dressing in a single manufacturing step. Additionally, neither Sablotsky et al. or Godbey et al. teach or suggest a method having the step of calendering the adhesive composition

between a center roll and a lower roll to form a hydrocolloid dressing comprising a backing film layer and an adhesive layer in a single manufacturing step, as presently claimed.

As Cilento et al., Sablotsky et al. and Godbey et al., alone or in combination, fail to teach or suggest the invention as presently claimed, Applicants respectfully request that the Examiner withdraw all pending 35 U.S.C. 103 rejections.

In conclusion and in view of the above, it is submitted that all of the pending independent claims (as well as claims dependent therefrom) recite limitations that are neither taught, disclosed or suggested by the cited references. Accordingly, this application is now in good order for allowance, and such early action is respectfully solicited. Should matters remain which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicant's undersigned agent.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1561.

Respectfully submitted,

Date: 4/13/03

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ADDENDUM PAGES

SET OF MARKED-UP CLAIMS WITH UNDERLINING AND BRACKETS

ALL PENDING CLAIMS SHOWN

1. (Amended) A [calendared] calendered hydrocolloid dressing comprising at least a backing film layer and an adhesive layer, wherein the material comprising the backing film layer includes at least a thermoplastic elastomer and wherein said backing film layer and adhesive layer are calendered together simultaneously to provide said calendered hydrocolloid dressing by a single manufacturing step.

2. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the thermoplastic elastomer is an ethylene based copolymer.

3. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the ethylene based copolymer is one or a combination of any of an ethylene acrylic acrylate, ethylene butyl acrylate, ethylene ethyl acrylate or ethylene methyl acrylate copolymer.

4. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the backing film layer is comprised of about 100% by weight copolymer, wherein the copolymer is about 21% by weight comonomer.

5. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the material comprising the backing film layer further includes low density polyethylene homopolymer.

6. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the material comprising the backing film layer further includes additives.

7. (Amended) A [calendared] calendered hydrocolloid dressing of claim 6, wherein the additives are selected from the group of antioxidants, stabilizers and processing aids.

8. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the backing film is comprised of about 65% to about 100% by weight ethylene methyl acrylate

copolymer, from about 0 to about 35% by weight low density polyethylene, about 0.05 to about 2% by weight of any one of or combinations of any of antioxidants, processing aids or stabilizers.

9. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the material comprising the adhesive layer includes at least a polymer and a hydrocolloid.

10. (Amended) A [calendared] calendered hydrocolloid dressing of claim 9, wherein the polymer is a pressure sensitive adhesive.

11. (Amended) A [calendared] calendered hydrocolloid dressing of claim 10, wherein the pressure sensitive adhesive comprises at least one rubber.

12. (Amended) A [calendared] calendered hydrocolloid dressing of claim 11, wherein the rubber is any one of or a combination of any one of styrene-isoprene-styrene copolymers, styrene-ethylene-styrene copolymers styrene-butylene-styrene copolymers, butyl rubber and polyisobutylene.

13. (Amended) A [calendared] calendered hydrocolloid dressing of claim 9, further comprising at least one additive.

14. (Amended) A [calendared] calendered hydrocolloid dressing of claim 13, wherein the additive is any one or a combination of any of tackifiers, stabilizers, plastifiers, processing aids or therapeutic agents.

15. (Amended) A [calendared] calendered hydrocolloid dressing of claim 9, wherein the adhesive layer comprises about 15% to about 40% by weight polymer, about 10% to about 50% by weight hydrocolloid, and about 10 to about 75% of by weight additives.

16. (Amended) A [calendared] calendered hydrocolloid dressing of claim 9, wherein the adhesive layer comprises about 58% by weight polyisobutylene, about 12% by weight butyl rubber, about 7% by weight plasticizer and 23% by weight hydrocolloid.

17. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, further comprising a release liner adhered to an adhesive layer lower surface area.

18. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the adhesive layer, backing film layer, or adhesive and backing film layer are substantially transparent or clear.

19. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the adhesive layer, backing film layer, or adhesive and backing film layer are substantially flesh colored.

20. (Amended) A [calendared] calendered hydrocolloid dressing of claim 1, wherein the adhesive layer is about 5 to about 50 mils and wherein the backing film layer is about 0.5 to about 10 mils.

21. (Amended) A method of manufacturing a [calendared] calendered hydrocolloid dressing comprising the steps of:

a. blending a backing film composition;

b. extruding the backing film composition;

c. [calendaring] calendering the backing film composition between a top roll and a center roll to form a backing film layer;

d. blending an adhesive composition; and

e. [calendaring] calendering the adhesive composition between the center roll and a lower roll to form a hydrocolloid dressing comprising a backing film layer and an adhesive layer in a single manufacturing step.

22. (Amended) The method of claim [10] 21, further comprising the step of adhering a release liner layer to a lower surface area of the hydrocolloid dressing.

23. (Amended) A [calendared] calendered hydrocolloid dressing prepared by the method of claim 21 or 22.

24. (New) The method of claim 21, wherein said backing film composition is comprised of a thermoplastic elastomer.

25. (New) The method of claim 24, wherein said thermoplastic elastomer is an ethylene based copolymer.

26. (New) The method of claim 25, wherein said ethylene based copolymer is one or a combination of any of an ethylene acrylic acrylate, ethylene butyl acrylate, ethylene ethyl acrylate or ethylene methyl acrylate copolymer.

27. (New) The method of claim 21, wherein the backing film layer is comprised of about 100% by weight copolymer, wherein the copolymer is about 21% by weight comonomer.

28. (New) The method of claim 21, wherein material comprising the backing film layer further includes low density polyethylene homopolymer.

29. (New) The method of claim 21, wherein material comprising the backing film layer further includes additives.

30. (New) The method of claim 29, wherein the additives are selected from the group of antioxidants, stabilizers and processing aids.

31. (New) The method of claim 21, wherein the backing film layer is comprised of about 65% to about 100% by weight ethylene methyl acrylate copolymer, from about 0 to about 35% by weight low density polyethylene, about 0.05 to about 2% by weight of any one of or combinations of any of antioxidants, processing aids or stabilizers.

32. (New) The method of claim 21, wherein material comprising the adhesive layer includes at least a polymer and a hydrocolloid.

33. (New) The method of claim 32, wherein the polymer is a pressure sensitive adhesive.

34. (New) The method of claim 33, wherein the pressure sensitive adhesive comprises at least one rubber.

35. (New) The method of claim 34, wherein the rubber is any one of or a combination of any one of styrene-isoprene-styrene copolymers, styrene-ethylene-styrene copolymers styrene-butylene-styrene copolymers, butyl rubber and polyisobutylene.

36. (New) The method of claim 32, wherein the adhesive layer further comprises at least one additive.

37. (New) The method of claim 36, wherein the additive is any one or a combination of any of tackifiers, stabilizers, plastifiers, processing aids or therapeutic agents.

38. (New) The method of claim 32, wherein the adhesive layer comprises about 15% to about 40% by weight polymer, about 10% to about 50% by weight hydrocolloid, and about 10 to about 75% of by weight additives.

39. (New) The method of claim 32, wherein the adhesive layer comprises about 58% by weight polyisobutylene, about 12% by weight butyl rubber, about 7% by weight plasticizer and 23% by weight hydrocolloid.

40. (New) The method of claim 21, wherein the adhesive layer, backing film layer, or adhesive and backing film layer are substantially transparent or clear.

41. (New) The method of claim 21, wherein the adhesive layer, backing film layer, or adhesive and backing film layer are substantially flesh colored.

42. (New) The method of claim 21, wherein the adhesive layer is about 5 to about 50 mils and wherein the backing film layer is about 0.5 to about 10 mils.